

APPLICANT(S): BIEBER, Avigdor
SERIAL NO.: 10/519,478
FILED: December 30, 2004
Page 5

REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested. Applicant asserts that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 1 – 12 and 24 – 26 remain pending in the application. Claim 1 has been amended without prejudice and claim 27 has been cancelled. Applicants assert that no new matter has been added.

CLAIM REJECTIONS

35 U.S.C. § 103 Rejections

The Examiner rejected claims 1–12 and 24–25 and 27 under 35 U.S.C. § 103(a), as being unpatentable over Teng (US 6,242,156) in view of Crawford et al. (US 4,430,366).

The Examiner rejected claims 1 and 26 under 35 U.S.C. § 103(a), as being unpatentable over Teng (US 6,242,156) in view of Crawford as evidenced by Nishida et al. (US 5,417,164).

Applicants have amended claim 1 to include the features of claim 27.

Amended claim 1 recites "wherein the concentration of the metal within the laser-absorbing layer is higher than the concentration of the metal at both edges of the laser-absorbing layer". Applicant respectfully assert that neither Teng nor Crawford, alone or in combination, teach or suggest at least "wherein the concentration of the metal within the laser-absorbing layer is higher than the concentration of the metal at both edges of the laser-absorbing layer", as recited by claim 1.

APPLICANT(S): BIEBER, Avigdor
SERIAL NO.: 10/519,478
FILED: December 30, 2004
Page 6

As stated in the Office action, Teng is not relied upon for the metal/metal oxide combination in the laser ablatable layer.

Crawford only teaches a layer having a unidirectional gradient of different ratios of metals to oxides. The ratio of metal to oxide may be either larger on the bottom of the layer than on the top of the layer or at the opposite gradient may be smaller on the bottom of the layer than on the top of the layer. Crawford, however, does not teach or suggest a meta/metal oxide layer with a bi-directional gradient such that the concentration of the metal within the layer is higher than the concentration of the metal at both edges of the layer.

Accordingly, neither Teng nor Crawford, either alone or in combination, discloses, teaches or suggests "wherein the concentration of the metal within the laser-absorbing layer is higher than the concentration of the metal at both edges of the laser-absorbing layer", as recited in claim 1.

Further, the Examiner contends that the motivation to combine Teng and Crawford is to improve adhesion and that "it would have been obvious to one of ordinary skill in the art that the metal concentration of the absorbing layer would be higher than the metal composition at both edges to improve the adhesion of the substrate to the laser-absorbing layer (see page 4 of the Office action).

Applicants strongly disagree with the Examiner's contention that smaller concentration of metal domains at the edges of the absorbing layer proximate to its adjacent layers improves adhesion relative to higher concentration of metal domains at the edges. For example, the present application teaches at page 8 lines 27-30 and at page 9, lines 17-18 that the metal domains positioned at the edges of the laser-absorbing layer may improve adhesion to adjacent layers.

Therefore, following the logic of the Examiner, for reasons of improving adhesion, the laser-absorbing layer should have been with higher concentration of metal at both edges of the absorbing layer and not around the middle of the layer.

APPLICANT(S): BIEBER, Avigdor
SERIAL NO.: 10/519,478
FILED: December 30, 2004
Page 7

Moreover, it is known in the art of printing members that it is desirable to use a laser-ablatable layer that requires the least laser energy to achieve ablation (see also Teng col. 2, lines 53-55). There is an ongoing long felt need in the industry for efficient printing members. The structure of the claimed laser-absorbing layer of amended claim 1, "wherein the concentration of the metal within the laser-absorbing layer is higher than the concentration of the metal at both edges of the laser-absorbing layer" improved the sensitivity of the printing plate to the laser energy relative to conventional laser-absorbing layers, such as those taught by Teng.

Therefore, the disclosures of Teng and Crawford do not render amended claim 1 obvious. Nishida et al. (US 5,417,164) cannot cure the deficiencies of the combination of Teng and Crawford with respect to amended claim 1 since it is not directed a metal/metal oxide combination in a laser ablatable layer. Accordingly, the combination of Crawford, Teng and Nishida does not render claim 1 obvious. In view of the above, applicants respectfully submit that amended claim 1 is allowable.

Claims 2 – 12 and 24 - 26 depend directly or indirectly from amended claim 1, and thereby include all the limitations of amended claim 1 as well as additional distinguishing elements. Therefore, claims 2 – 12 and 24 - 26 are patentable for at least the reasons discussed above with regard to amended claim 1. In view of the above remarks, Applicants respectfully request that the above rejections of claims 1 – 12 and 14 – 26 under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION

In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and prompt allowance is respectfully requested.

APPLICANT(S): BIEBER, Avigdor
SERIAL NO.: 10/519,478
FILED: December 30, 2004
Page 8

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,



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